

REMARKS

Claims 36-56 are currently pending in the application, with claims 36, 40 and 51 being in independent form. By this Amendment document, claims 36-39, 40, 51 and 56 have been amended. It is respectfully submitted that the claims pending in the application, namely claims 36-56 are fully supported by the specification, introduce no new subject matter, and are patentable over the prior art. In view of the remarks to follow, reconsideration and allowance of the claims of this application are respectfully requested.

Rejection of Claims under 35 U.S.C. § 112

Claims 36-39, 40, 51 and 56 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. By the present amendment, the Applicants have amended claims 36-39, 40, 51 and 56 in a manner believed to overcome the rejection. In particular, Applicants have amended these claims in accordance with suggestions by the Examiner, as indicated in the Office Action of February 5, 2007. It is respectfully requested that the rejection of these claims be withdrawn.

Rejection of Claims under 35 U.S.C. § 102(e)

Claims 36, 37, 39-43 and 45-55 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Natarajan et al. (US 6,955,777). Applicants respectfully traverse the rejection with respect to these claims.

Natarajan et al. is directed to a method of forming a plate for dispensing chemicals having a horizontal channel 25 formed in a sheet 10-2 connecting a first vertical aperture 22 formed in sheets 10-1, 10-2 and 10-3 and a second aperture 24 formed in sheets 10-3.

Column 2, lines 22-26 and FIG. 1. Natarajan et al. does not disclose “at least two vertical passages arranged in an array of sample cells in a first layer” as partially described in independent claims 36, 40 and 51. Emphasis added. In contrast, the two vertical apertures in Natarajan are formed in a single cell.

Accordingly, independent claims 36, 40 and 51 are believed to be patentably distinct over Natarajan et al. Therefore, reconsideration and withdrawal of the rejection is respectfully requested. Dependent claims 37, 39, 42, 43, 45-50 and 52-55 depend directly or indirectly from independent claims 36, 40 and 51, and are therefore patentable for at least the reasons given above for independent claims 36, 40 and 51.

Rejection of Claims under 35 U.S.C. § 102(b)

Claims 40-49, 51 and 55 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Trickett et al. (US 4,833,000). Applicants respectfully traverse the rejection with respect to these claims.

Trickett et al. is directed to a ceramic monolithic structure having an internal cavity contained therein. Trickett et al. does not disclose a does not disclose “at least two vertical passages arranged in an array of sample cells in a first layer” as partially described in independent claims 40 and 51. Emphasis added. It is noted that Trickett et al is not applicable for microfluids applications.

Accordingly, independent claims 40 and 51 are believed to be patentably distinct over Trickett et al. Therefore, reconsideration and withdrawal of the rejection is respectfully requested. Dependent claims 41-49 and 55 depend directly or indirectly from independent

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claims 40 and 51, and are therefore patentable for at least the reasons given above for independent claims 40 and 51.

Conclusion

In view of the foregoing amendments and remarks, Applicants respectfully submit that all claims now pending in this application, namely Claims 36-56 are in condition for allowance. Accordingly, early and favorable consideration of this application is respectfully requested. Should the Examiner believe that a telephone or personal interview may facilitate resolution of any remaining matters, he is respectfully requested to contact Applicants undersigned attorney at the telephone number indicated below.

No fee is believed to be due for the submission of this amendment. If any fees are required, however, the Commissioner is authorized to charge such fees to Deposit Account No. 09-0458.

Respectfully Submitted,



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